

## Message Text

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DOD/ ISA - CAPT. GINN

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R 182246 Z JUN 73

FM SECSTATE WASHDC

TO AMEMBASSY LONDON

INFO AMCONSUL NASSAU

C O N F I D E N T I A L STATE 118839

E. O. 11652, GDS

TAGS: MARR, BF

SUBJECT: BAHAMAS INDEPENDENCE; US BASE RIGHTS

1. US- UK- GOBI TALKS IN NASSAU CONCERNING POST- INDEPENDENCE  
US BASE RIGHTS IN BAHAMAS HAVE PRODUCED SLIGHT MISUNDER-  
STANDING BETWEEN US AND UK CONCERNING UK RIGHTS TO USE US  
FACILITIES IN BAHAMAS AFTER INDEPENDENCE. IT IS  
ANTICIPATED THAT A NEW US- GOBI AGREEMENT WILL BE ACHIEVED  
PROVIDING FOR CONTINUED US BASE RIGHTS AND PERMITTING UK  
USE OF FACILITIES AS IN PAST.

2. US HAS TABLED BOTH A FULL US- GOBI AGREEMENT AND A  
TEMPORARY " CARRYOVER" AGREEMENT TO BE USED IF COMPLETE  
ACCORD ON BASE RIGHTS NOT REACHED BY DATE OF GOBI  
INDEPENDENCE. IN NASSAU, UK DELEGATION OBJECTED TO THESE  
DRAFTS ON GROUND THAT UK RIGHTS TO USE US FACILITIES WERE  
NOT ADEQUATELY EXPRESSED. SEE, IN PARTICULAR, ARTICLE 17  
OF US DRAFT SOFA TABLED IN NASSAU 28 MAY 1973. UK  
DELEGATION TABLED AN AMENDMENT TO OUR ARTICLE 17 WHICH  
ATTEMPTED TO CONFER USERSHIP RIGHTS IN THEM UNDER A THIRD-  
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PARTY BENEFICIARY THEORY.

3. DEPT AND DOD WISH TO EMPHASIZE THAT THERE IS NO RPT NO INTENTION WHATSOEVER TO ALTER CURRENT UK USAGE OF US FACILITIES IN THE BAHAMAS AND THAT US SOFA LANGUAGE IS

DESIGNED TO DESCRIBE US/ GOBI RIGHTS AND OBLIGATIONS, NOT TO DETRACT FROM US/ UK RELATIONSHIP. WE ARE UNCOMFORTABLE, HOWEVER, WITH THE UK AMENDMENT TO ARTICLE 17 AS WE FEEL THEIR CONCERNS MIGHT MORE APPROPRIATELY BE HANDLED IN A MORE DIRECT MANNER, TO WIT, A US- UK EXCHANGE OF NOTES ON THE SUBJECT OF THEIR USE OF OUR FACILITIES.

4. ACCORDINGLY, WE WOULD WISH TO CONSIDER THE FOLLOWING FOR POSSIBLE US- UK SIGNATURE CONTEMPORANEOUS WITH SIGNATURE OF US- GOBI BASE RIGHTS AGREEMENT. UNDER THIS APPROACH, US DRAFT OF ARTICLE 17 WOULD REMAIN AS ORIGINALLY TABLED. BEGIN TEXT:

" EXCELLENCY:

I HAVE THE HONOR TO REFER TO RECENT DISCUSSIONS BETWEEN REPRESENTATIVES OF OUR TWO GOVERNMENTS, AND TO CONSULTATIONS WITH GOB CONCERNING THE USE BY UNITED KINGDOM FORCES OF UNITED STATES MILITARY FACILITIES IN THE BAHAMAS AFTER THE INDEPENDENCE OF THE BAHAMAS ON JULY 10, 1973. BASED ON THESE DISCUSSIONS AND CONSULTATIONS, AND IN ORDER TO CONFORM SUCH USE TO THE CONDITIONS OBTAINING AFTER BAHAMIAN INDEPENDENCE, I HAVE THE HONOR TO PROPOSE THE FOLLOWING:

1. IN VIEW OF THE INDEPENDENCE OF THE BAHAMAS FROM THE GOVERNMENT OF THE UNITED KINGDOM ON JULY 10, 1973, THE AGREEMENTS LISTED IN THE ANNEX TO THIS NOTE SHALL HAVE NO FURTHER FORCE OR EFFECT BETWEEN THE USG AND GOVERNMENT OF UK.

2. NOTWITHSTANDING THE FOREGOING, THE GOVERNMENT OF THE UNITED KINGDOM SHALL CONTINUE TO HAVE THE RIGHT TO USE U. S. MILITARY FACILITIES IN THE  
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BAHAMAS ON THE TERMS AND CONDITIONS WHICH SHALL BE AGREED UPON BETWEEN APPROPRIATE AUTHORITIES OF THE TWO GOVERNMENTS.

IF THE FOREGOING IS ACCEPTABLE TO YOUR EXCELLENCY, I HAVE THE FURTHER HONOR TO PROPOSE THAT YOUR EXCELLENCY'S REPLY TO THAT EFFECT, TOGETHER WITH THIS NOTE, SHALL

CONSTITUTE AN AGREEMENT BETWEEN OUR TWO GOVERNMENTS,  
EFFECTIVE ON THE DATE OF YOUR EXCELLENCY' S REPLY AND  
CONTINUING IN FORCE UNTIL                      , 1988  
OR SUCH EARLIER TIME AS RELEVANT U. S. MILITARY FACILITIES  
ARE NO LONGER PRESENT IN THE BAHAMAS.

ACCEPT, EXCELLENCY ... "    END TEXT

5. ACTION REQUESTED: WOULD APPRECIATE IF EMBASSY WOULD  
DELIVER COPY OF THIS MESSAGE TO FCO ( PROBABLY BRIAN  
WATKINS) AND, IF APPROPRIATE, MOD ( MICHAEL WARNER).  
US DELEGATION WOULD BE PREPARED TO DISCUSS THIS MATTER  
FURTHER WITH UK DELEGATION IN NASSAU ON THURSDAY EVENING.

6. IT SHOULD BE MADE CLEAR TO UK OFFICIALS THAT  
FOREGOING REPRESENTS MERELY ONE IDEA FOR POSSIBLE  
MECHANISM FOR RESOLVING PROBLEM AND DOES NOT RPT NOT  
CONSTITUTE FORMAL USG PROPOSAL.    ROGERS

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\*\*\* Current Handling Restrictions \*\*\*    n/a

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